

UNITED STATES DISTRICT COURT

for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV 27 2013

SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

United States of America

v.

RANDAL LEE OSBURN

Defendant

Case No. MJ-13-4361-1

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 10/01/2013 in the county of Klickitat in the Eastern District of
Washington, the defendant violated 18 U. S. C. § 2114(a), an offense described as follows:

did assault L.J., a person having lawful charge, custody, and control of United States mail matter, money, and other property of the United States, with intent to rob, steal and purloin said mail matter, money and other property of the United States, and in doing so the defendant, Randal Lee Osburn, put the life of L.J. in jeopardy by the use of a dangerous weapon, that is a knife, in violation of Title 18, United States Code, Section 2114(a).

This criminal complaint is based on these facts:

See attachment

☒ Continued on the attached sheet.


Complainant's signature

U.S. Postal Inspector, Kevin J. Redden
Printed name and title

Sworn to before me and signed in my presence.

Date: 11/27/2013


Judge's signature

City and state: Yakima, Washington

JAMES P. HUTTON, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT OF KEVIN J. REDDEN

INTRODUCTION AND AGENT BACKGROUND

I, KEVIN J. REDDEN, after being duly sworn, hereby depose and state:

1. I am a United States Postal Inspector employed by the United States Postal Inspection Service (USPIS) assigned to the Portland Domicile of the Seattle Division. I have been employed as a Postal Inspector for 22 years. I am currently assigned to the External Crimes Team in Portland, Oregon.

2. As a Postal Inspector I am authorized to investigate crimes involving federal offenses relating to the U.S. Postal Service. During the course of my employment with the Inspection Service I have conducted or participated in criminal investigations involving mail fraud, mail theft, identity theft, credit card fraud, bank fraud, assaults, burglaries, robberies and murders both in the Southern District of California, the District of Oregon, and the Western District of Washington.

3. Information contained in this affidavit is based upon information I have gained from my investigation, my personal observations, my training and experience, investigation by other Inspectors, and Klickitat County Sheriff's Deputies and Detectives. Because this affidavit is being submitted for the limited purpose of obtaining a complaint and arrest warrant, I have set forth only those facts that I believe are necessary to establish probable cause that Randal L. Osburn committed the crime of Armed Robbery of a Post Office, in violation of Title 18, United States Code, Section 2114(a).

STATEMENT OF PROBABLE CAUSE

4. On October 1, 2013, at approximately 9:40am, I received information that the Lyle, Washington, Post Office had been robbed. I called the post office, and spoke to a Postal Support Employee, who is known to me and will hereafter be referred to as K.H.

K.H. advised me a Deputy from the Klickitat County Sheriff's Department was currently at the post office.

5. K.H. further advised that the Postmaster, who is known to me and will hereafter be referred to as L.J. was working at the window line at the time of the robbery. K.H. said no one had been hurt, and the post office was locked down.

6. At approximately 11:30am, I arrived at the Lyle, Washington, Post Office, which was still locked down. I conducted an interview with L.J.

7. L.J. said she arrived at the Lyle Post Office at 7:30am. She stated she opened the window line that morning for customers at the post office at 8:15am. Prior to the robbery, L.J. said she had one customer who picked up a parcel at approximately 9:00am.

8. Once she waited on the customer, L.J. said she returned to her office to call the postal service help desk about a computer problem. She said she was in her office when she heard the lobby bell ring at approximately 9:15am. She went to the window line and observed a man standing with his back against the counter. She noted he had broad shoulders and was wearing a brown "hoody type" sweatshirt.

9. According to L.J. the man just stood with his back against the counter. L.J. said she asked if she could help the man. The man slowly turned around. L.J. said it took a moment for her to recognize his face was covered with a dirty white kerchief or bandana, with black trim around the edges. Even though the hood on the man's sweatshirt was up, L.J. said she could see blond hair sticking out around the edge of the hood.

10. L.J. said the man was holding a priority mail box in one hand and a knife in the other. L.J. thought the knife had a brown or black handle and was possibly a folding knife. The man pointed the knife at the writing on the box that said, "Put the money in the box." L.J. noted the man never said a word the whole time.

11. L.J. said at first she told the man, "I don't have any," but then realized he wanted whatever she had. L.J. stated she grabbed the money from her till and put it in the box. L.J. said she assumed the man turned to leave because he was heading to the doors. She immediately picked up the phone and dialed 911. She didn't see the man leave the lobby because she was dialing 911. L.J. said she wanted someone there. The man reappeared from the direction of the post office box lobby and went out the front door.

12. L.J. said the man walked calmly out the door and past the windows toward the back of the post office. Once he got toward the back of the post office he began to run. L.J. said she saw he had a light gray backpack with some kind of logo on it and the backpack appeared to be full. L.J. said the last she saw of the man was when he ran around the corner of the building. L.J. said she "locked everything up in the building." She told K.H. she had been robbed at knifepoint and to lock all of the doors.

13. L.J. thought she had about \$100 in her till at the time of the robbery. The man only took money. L.J. reiterated, the man turned around slowly and it took her a little while to realize she was being robbed.

14 L.J. said deputies from the Klickitat County Sheriff's Office arrived about fifteen minutes later and she gave them a statement. According to L.J. the priority mail box the man had used to write the demand note was found outside the post office by the side of the building.

15 About 30 minutes after she gave them her statement, L.J. learned a man had been arrested by Klickitat County Sheriff's Deputies. The deputies took her to where the man was in custody and she positively identified him as the man who had robbed her. L.J. noted the man had changed his sweatshirt and was now wearing glasses.

16. While at the post office I conducted a count of the till L.J. was using at the time of the robbery. The count showed the loss from the robbery was approximately \$139.00.

17. On October 4, 2013, I obtained and reviewed a copy of Klickitat County Sheriff's Deputy Ross Guiney's (Deputy Guiney) Investigation Narrative.

18. According to the investigation narrative, at approximately 9:22am Deputy Guiney was advised by dispatch, via radio, of an armed robbery that had just occurred at the Lyle, Washington Post Office. Dispatch further advised Deputy Guiney that the suspect was last seen heading southbound behind the post office. Dispatch described the suspect to Deputy Guiney as a white male with blond hair, armed with a large knife, wearing a dark colored hooded sweatshirt, khaki pants and a gray backpack.

19. At approximately 9:30am Deputy Guiney arrived in Lyle and observed a male, matching the description of the robbery suspect he had been given, and later identified as Randal L. Osburn, running across Highway 14 headed northbound behind the Lyle Mercantile. Deputy Guiney pulled in behind the Mercantile with his emergency lights activated.

20. Deputy Guiney observed the suspect look back at him, and then continue up the hill. After a short foot pursuit, Deputy Guiney caught up to Osburn and advised him to stop. Osburn turned around and looked at Deputy Guiney. Deputy Guiney saw a large pocketknife, with the blade closed, in Osburn's left hand. Osburn attempted to run and Deputy Guiney tased him. Osburn was taken into custody without further incident.

21. According to the investigation narrative Deputy Guiney asked Osburn why he was running and Osburn stated he had a warrant. Deputy Guiney advised Osburn he was being detained for investigation of the robbery of the Lyle Post Office. Deputy Guiney conducted a quick pat down search of Osburn for additional weapons but only found the pocketknife he recovered from Osburn's left hand. During the pat down Deputy Guiney felt what he thought was a large amount of money in Osburn's left front pants pocket. Guiney walked Osburn back to his patrol car and awaited further instruction.

22. A few minutes later, Deputy Guiney received a radio call from Klickitat County Sheriff's Deputy Cole (Deputy Cole) who advised him the victim L.J. described the knife as a large, brown, wood handled, pocketknife. Based on the robbery suspect description, the time of the incident to the time of Osburn's location, and the positive description of the pocket knife, Deputy Guiney placed Osburn under arrest for Robbery in the First Degree, in violation of RCW. During a search of Osburn incident to his arrest, Deputy Guiney recovered a dark gray backpack, and \$141 in ones, fives, tens, and twenties from Osburn's left front pants pocket.

23. Klickitat County Sheriff's Deputy Cole (Deputy Cole) arrived with L.J. Klickitat County Sheriff's Sergeant Kilian (Sergeant Kilian) had Deputy Guiney face Osburn toward L.J. who was standing across the street about 15 yards away. L.J. requested Deputy Guiney remove Osburn's glasses, at which time L.J. indicated Osburn was the person who robbed her at the post office. Osburn was transported to the Klickitat County Jail in Goldendale, Washington.

24. On October 21, 2013, I obtained and reviewed a complete copy of Deputy Guiney's report number 13-003250. Included in the report were Investigation Narratives and Supplemental Narratives from Sergeant Kilian, Detective Kallio, and Deputy Cole as well as copies of search warrants for the search of the backpack carried by Osburn at the time of his arrest and for the collection of buccal swabs from Osburn.

25. The Investigation Report completed by Deputy Cole states that after driving L.J. back to the post office, Deputy Cole left the building and began walking the route taken by the suspect as described by L.J. Deputy Cole went down an embankment and eastbound along the railroad access road that runs along the foot of the embankment. Approximately 100 yards east of the post office Deputy Cole found a white Priority Mail Box partially up the embankment. Deputy Cole took pictures of the location of the box for evidence. He observed the box bore a handwritten note stating, "Put the money in

the box quietly." Detective Kallio arrived shortly thereafter and the box was taken as evidence.

26. The Investigation Narrative further states that on October 2, 2013 Deputy Cole returned to the location with Detective Kallio and assisted in searching for additional evidence. They continued searching east from the location where they located the Priority Mail Box. Approximately 122 yards east of the location where the priority mail box was found Detective Kallio found a blue and white bandana, a brown hooded sweatshirt, an ink pen with a yellow artificial flower attached to the top, and a strip of seal tape for the Priority Mail Box.

27. After photographing the items Detective Kallio took them to show to L.J. at the post office. L.J. positively identified the sweatshirt and bandana as what she had observed the suspect wearing during the robbery. She also identified the pen as being one from the post office.

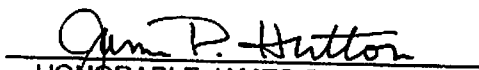
CONCLUSION

28. Based on the above information, your affiant believes there is probable cause to support that on or about October 1, 2013, Randal L. Osburn robbed the Lyle, Washington, Post Office in violation of Title 18, United States Code, Section 2114(a).

I swear under penalty of perjury that the above facts are true and correct to the best of my knowledge.


Kevin J. Redden, U.S. Postal Inspector
United States Postal Inspection Service

Subscribed and sworn before me on this 27 day of November, 2013.


HONORABLE JAMES P. HUTTON
United States Magistrate Judge
Eastern District of Washington